

FORM PTO-1393 (Modified)
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

112843-37

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/019,964

INTERNATIONAL APPLICATION NO.
PCT/EP00/06362

INTERNATIONAL FILING DATE
05 July 2000

PRIORITY DATE CLAIMED
06 July 1999

TITLE OF INVENTION

GELLED NUTRITIONAL COMPOSITION AND PROCESS

APPLICANT(S) FOR DO/EO/US

Fuchs et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Return Receipt Postcard

Express Mail Label No.: EV 110 954 628 US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1)-(5)) 10/019,964	INTERNATIONAL APPLICATION NO. PCT/EP00/06362	ATTORNEY'S DOCKET NUMBER 112843-37
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24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1060.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$900.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$750.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$720.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div>																																																																													
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00																																																																													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:10%;">RATE</th> <th style="width:15%;"></th> <th style="width:10%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td>x \$18.00</td> <td></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td>x \$84.00</td> <td></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="5">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: center;">\$130.00</td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. </td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL =</td> <td style="text-align: center;">\$130.00</td> </tr> <tr> <td colspan="4"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). </td> <td style="text-align: center;">+</td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td style="text-align: center;">\$130.00</td> </tr> <tr> <td colspan="4"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). </td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td style="text-align: center;">\$130.00</td> </tr> <tr> <td colspan="5"></td> <td style="text-align: center;"> Amount to be: refunded \$ </td> </tr> <tr> <td colspan="5"></td> <td style="text-align: center;"> charged \$ </td> </tr> </tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	- 20 =	0	x \$18.00		\$0.00	Independent claims	- 3 =	0	x \$84.00		\$0.00	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>					\$0.00	TOTAL OF ABOVE CALCULATIONS =					\$130.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$0.00	SUBTOTAL =					\$130.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$0.00	TOTAL NATIONAL FEE =					\$130.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	\$0.00	TOTAL FEES ENCLOSED =					\$130.00						Amount to be: refunded \$						charged \$
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- a. ☒ A check in the amount of **\$130.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818** A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: Robert M. Barrett (30,142) ATTORNEYS FOR APPLICANTS Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, Illinois 60690-1135	SIGNATURE Robert M. Barrett NAME 30,142 REGISTRATION NUMBER February 21, 2003 DATE
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fuchs et al.
Appl. No.: 10/019,964
Filed: January 3, 2002
Title: GELLED NUTRITIONAL COMPOSITION AND PROCESS
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112843-37

Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (2 pages) (duplicate);
2. Copy of Notification to File Missing Requirements (2 pages);
3. Executed Declaration and Power of Attorney (3 pages);
4. Check in the Amount of \$130.00; and
5. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as
Express Mail in an envelope addressed to:

Commissioner for Patents
Box PCT
Washington, DC 20231

on February 21, 2003.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Robert J. Buccieri

Name of Person Mailing Correspondence

Signature

EV 110 954 628 US

Express Mail Mailing Label Number